

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND

IN RE:

Joe W. Frazier  
Carolyn S. Burns-Frazier

Debtors

\*  
\*  
\* Case No.  
\* Chapter 13  
\*

\*

\*

\*

\* \* \* \* \*

**STATEMENT PURSUANT TO RULE 2016(b)**

The undersigned counsel, pursuant to Rule 2016(b) of the Federal Rules of Bankruptcy Procedure, states that the compensation paid or promised by the debtors to the undersigned, is as follows:

1. For legal services rendered, the debtors have agreed to retain the undersigned counsel on an hourly basis and to pay \$375.00 per hour billable against a minimum retainer of \$5,000.00 for the Chapter 13 case which \$3,500.00 has been paid, and which fee arrangement is NOT pursuant to the terms of Local Bankruptcy Rule Appendix F, paragraph 4A, 4B, or 4C.

The debtors have paid the undersigned attorney a retainer in the amount of \$3,500.00 and a filing fee of \$310.00, which totals \$3,810.00, and accordingly the initial balance due under the plan is \$1,500.00 (\$5,000.00 - \$3,500.00 = \$1,500.00) which shall be disbursed to debtors' counsel in accordance with Appendix F under the debtors' plan as an administrative expense pursuant to 11 U.S.C. § 507(a)(1), and in the event any additional balance is due, it shall be determined by the Court and shall be paid as an administrative expense as provided for in the debtors' confirmed plan.

2. Balance due will vary upon the work performed and hours spent.

3. The filing fee has been paid.

4. In addition, within one year prior to the filing of this Chapter 13 case as disclosed in the Statement of Financial Affairs, Question 9, which was filed simultaneously with the initial F.R.B.P. 2016(b) Statement, the undersigned received from the debtors the following payments on the dates indicated: None.

5. The services rendered or to be rendered for the above-described fee are the following:

(a) Analysis of the financial situation, and rendering of advice and assistance to the client in determining whether to file a petition under title 11, United States Code.

(b) Preparation and filing of the petition, schedules of assets and liabilities, and statement of affairs.

(c) Preparation and filing of the plan of reorganization or any amended plan submitted prior to the confirmation hearing (but not the cost for the filing or mailing thereof).

(d) Representation of the client at the initially scheduled meeting of creditors.

(e) Representation of the client at the initially scheduled confirmation hearing.

(f) By virtue of the above-referenced retainer, the appearance of counsel is NOT entered in and representation does NOT include (i) any objection to discharge, any (ii) complaint to determine the dischargeability of any debt, (iii).complaint to revoke discharge, (iv).any other adversary proceeding, and (v) any audit conducted by the U.S. Trustee. The debtors agree to the exclusion of these matters, and these matters would only be handled by the undersigned counsel with a separately negotiated retainer on an hourly basis.

6. The undersigned counsel further states that the source of monies paid by the debtors to the undersigned was and is, earnings, wages and compensation for services performed, and was paid by the debtors.

7. Pursuant to Local Bankruptcy Rule 9010-5 the undersigned counsel shall be counsel of record in all matters arising during the administration of this case except as provided in paragraph 5(f), to which exclusions the debtors agree, until the entry of a court order allowing the withdrawal of appearance, or until the case is dismissed or closed.

Date: 10/03/14

/s/ Marc R. Kivitz  
Marc R. Kivitz  
Trial Bar No. 02878  
Suite 1330, 201 North Charles Street  
Baltimore, Maryland 21201  
(410) 625-2300

TERMS OF REPRESENTATION ACCEPTED AND AGREED:

Date: 10/03/14

/s/ Joe W. Frazier (SEAL)  
Joe W. Frazier

Date: 10/03/14

/s/ Carolyn S. Burns-Frazier (SEAL)  
Carolyn S. Burns-Frazier